



# राजपत्र, हिमाचल प्रदेश

## (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

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शिमला, शुक्रवार, 14 अप्रैल, 1972/25 चैत्र, 1894

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**GOVERNMENT OF HIMACHAL PRADESH**

**LOCAL SELF GOVERNMENT DEPARTMENT**

**NOTIFICATION**

*Simla-2, the 10th March, 1972*

No. 1-12/71-LSG.—In exercise of the powers conferred by section 17 of the Himachal Pradesh Public Premises and Land (Eviction and Rent Recovery) Act, 1971 (Act No. 22 of 1971) the Governor, Himachal Pradesh, is pleased to make the following rules entitled as the Himachal Pradesh Public Premises and Land (Eviction and Rent Recovery) Rules, 1971, the same having been previously published in the Himachal Pradesh Rajpatra (Extraordinary issue), dated the 31st December, 1971:—

### RULES

#### THE HIMACHAL PRADESH PUBLIC PREMISES AND LAND (EVICTION AND RENT RECOVERY) RULES, 1971

1. *Short title.*—These rules may be called the Himachal Pradesh Public Premises and Land (Eviction and Rent Recovery) Rules, 1971.

**2. Definitions.**—(1) In these rules—

- (a) 'Act' means the Himachal Pradesh Public Premises and Land (Eviction and Rent Recovery) Act, 1971;
- (b) 'Form' means a form appended to these rules.

(2) Words and expressions used but not defined in these rules shall have the meanings, if any, assigned to them in the Act.

**3. Form of notices and orders.**—A notice or order under the Act shall be in one of the appropriate forms appended to these rules.

**4. Manner of service of notices and orders.**—(1) Where the person on whom a notice under sub-section (1) of section 4, or sub-section (1) of section 6 of the Act is to be served cannot be found, a copy of such notice shall, in addition to any other manner of service specified in the Act, be affixed in a conspicuous part of the last known place of business of such person or be delivered to some adult member of his family.

(2) The Collector may also proclaim the contents of any notice in the locality by beat of drum.

**5. Holdings of enquiries.**—(1) Where any person on whom a notice or order under this Act has been served desires to be heard through his representative, he should authorise such representative, in writing,

(2) The Collector shall record the summary of the evidence tendered before him. The summary of such evidence and any relevant documents filed before him shall form part of the records of the proceedings.

**6. Manner of taking possession of public premises.**—(1) If any obstruction is offered or is in the opinion of the Collector likely to be offered to the taking possession of any public premises under the Act, the Collector or any other officer duly authorised by him in this behalf may obtain necessary police assistance.

(2) Where any public premises of which possession is to be taken under the Act, is found locked, the Collector or any other officer duly authorised by him in this behalf may either seal the premises or in the presence of two witnesses break open the locks or open or cause to be opened any door, gate or other barrier and enter the premises:

Provided that—

- (1) no entry shall be made into or possession taken of, a public premises before sunrise or after sunset;
- (2) where any public premises is forced open, an inventory of the articles found in the premises shall be prepared in the presence of two witnesses.

**7. Assessment of damages.**—In assessing damages for unauthorised use and occupation of any public premises, the Collector shall take into consideration the following matters, namely:—

- (a) the purpose and the period for which the public premises were in unauthorised occupation;
- (b) the nature, size and standard of the accommodation available in such premises;
- (c) the rent that would have been realised if the premises been let on rent for the period of unauthorised occupation to a private person;
- (d) any damage done to the premises during the period of unauthorised occupation;
- (e) any other matter relevant for the purpose of assessing the damages.

8. *Procedure in appeals.*—(1) An appeal preferred under section 9 of the Act, shall be in writing, shall set forth concisely the grounds of objections to the order appealed against, and shall be accompanied by a copy of such order.

(2) On receipt of the appeal and after calling for and pursuing the record of the proceedings before the Collector, the appellate officer shall appoint time and place for the hearing of the appeal and shall give notice thereof to the Collector against whose orders the appeal is preferred and to the appellant.

9. *Repeal and savings.*—Any rules corresponding to these rules in force immediately before the commencement of these rules and applicable are hereby repealed:

Provided that any order made or action taken under the rules so repealed shall be deemed to have been made or taken under the corresponding provisions of these rules.

#### FORM 'A'

##### **Form of notice under sub-section (1) of section 4 of the Himachal Pradesh Public Premises and Land (Eviction and Recovery) Act, 1971**

To  
Shri/Shrimati/Kumari .....

Whereas, I, the undersigned, am of opinion, on the grounds specified below, that you are in unauthorised occupation of the public premises mentioned in the schedule below and that you should be evicted from the said premises:—

#### GROUND

Now, therefore, in pursuance of sub-section (1) of section 4 of the Act, I hereby call upon you to show cause on or before the\* ..... why such an order of eviction should not be made.

#### SCHEDULE

*Signature and seal of the Collector.*

Date.....

\*This date should be a date not earlier than ten days from the date of issue of the notice.

#### FORM 'B'

##### **Order under sub-section (1) of section 5 of the Himachal Pradesh Public Premises and Land (Eviction and Rent Recovery) Act, 1971**

Whereas, I the undersigned, am satisfied for the reasons recorded below that Shri/Shrimati/Kumari..... is/are in unauthorised occupation of the public premises specified in the schedule below.

#### REASONS

Now, therefore, in exercise of the powers conferred on me by section (1) of section 5 of the Himachal Pradesh Public Premises and Land (Eviction

and Rent Recovery) Act, 1971, I hereby order the said Shri/Shrimati/Kumari ..... and all persons who may be in occupation of the said premises or any part thereof to vacate the said premises within thirty days of the date of publication of this order. In the event of refusal or failure to comply with this order within the period specified above, the said Shri/Shrimati/Kumari ..... and all other persons concerned are liable to be evicted from the said premises, if need be by the use of such force as may be necessary.

#### SCHEDULE

*Date..... Signature and seal of the Collector.*

#### FORM 'C'

#### Form of notice under sub-section (1) of section 6 of the Himachal Pradesh Public Premises and Land (Eviction and Rent Recovery) Act, 1971

To  
Shri/Shrimati/Kumari.....

Whereas on the.....you were evicted from the public premises described in the schedule below which was unauthorisedly occupied by you.

Now, therefore, in exercise of the powers conferred on me by sub-section (1) of section 6 of the Act, I hereby give you notice that after fourteen days of the service of this notice on you, any property remaining on the said premises will be liable to be removed or disposed of by public auction. In case you desire to take possession of your property and to remove the same from the said premises, you will be permitted to do so on written authority from the undersigned provided any arrears of rent/damages due from you are paid within the said period of fourteen days.

#### SCHEDULE

*Date..... Signature and seal of the Collector.*

#### FORM 'D'

#### Order under sub-section (1) of section 7 of the Himachal Pradesh Public Premises and Land (Eviction and Rent Recovery) Act, 1971

To  
Shri/Shrimati/Kumari .....

Whereas, you are in occupation of the public premises described in the schedule below:—

And, whereas, a sum of Rs.....being the arrears of rent from the .....day of.....19.....upto the .....day of.....19....., in respect of the said premises is due and payable by you to the Government.

Now, therefore, in exercise of the powers conferred on me by sub-section (1) of section 7 of the Himachal Pradesh Public Premises and Land (Eviction and Rent Recovery) Act, 1971, I hereby require you to pay the said sum on or before the..... In case the said sum is not paid within the said period, it will be recovered as an arrear of land revenue.

### SCHEDULE

Date .....

*Signature and seal of the Collector.*

### FORM 'E'

#### Notice under sub-section (2) of section 7 of the Himachal Pradesh Public Premises and Land (Eviction and Rent Recovery) Act, 1971

To

Shri/Shrimati/Kumari .....

Whereas, I, the undersigned, am satisfied that you are/were in unauthorised occupation of the public premises mentioned in the schedule below:—

And, whereas, in exercise of the powers conferred on me by sub-section (2) of section 7 of the Himachal Pradesh Public Premises and Land (Eviction and Rent Recovery) Act, 1971, I consider the damages amounting to Rs..... at the rate of Rs..... and..... p.m./p.a. have been caused on account of unauthorised use and occupation of the said premises for the period from..... to.....

Now, therefore, under the provisions of sub-section (2) of section 7 of the Act, I hereby call upon you to show cause on or before the..... why an order requiring you to pay the said damages should not be made.

### SCHEDULE

Date .....

*Signature and seal of the Collector.*

### FORM 'F'

#### Form of order under sub-section (2) of section 7 of the Himachal Pradesh Public Premises and Land (Eviction and Rent Recovery) Act, 1971

To

Shri/Shrimati/Kumari .....

Whereas, I, the undersigned, am satisfied that you are/were in unauthorised occupation of the public premises mentioned in the schedule below:—

And, whereas, by a written notice, dated..... you were called upon to show cause on or before, the..... why an order requiring you to pay damages of Rs..... for unauthorised use and occupation of the said premises, should not be made;

\*And, whereas, I have considered your objections and or the evidence produced by you.....

And whereas you have not made any objection or produced any evidence before the said date;

\*Strike off portion not required.

Now, therefore, in exercise of the powers conferred on me by sub-section (2) of section 7 of the Himachal Pradesh Public Premises and Land (Eviction and Rent Recovery) Act, 1971, I hereby order you to pay the sum of Rs..... assessed by me as damages on account of your unauthorised occupation of the said premises or before the.....

In the event of your refusal or failure to pay the damages within the said period, the amount will be recovered as an arrear of land revenue.

#### SCHEDULE

Date.....

*Signature and seal of the Collector.*

By order,

C. M. CHATURVEDI,  
*Secretary.*

### EXCISE AND TAXATION DEPARTMENT NOTIFICATION

Simla-2, the 30th March, 1972

No. 14-45/68-E&T. (Seett).—In exercise of the powers conferred on him under section 20 of the Himachal Pradesh Entertainments Tax (Cinematograph Shows) Act, 1968 (Act No. 11 of 1968), the Governor, Himachal Pradesh is pleased to make the following amendment in the Himachal Pradesh Entertainments Tax (Cinematograph Shows) Rules, 1969:—

#### AMENDMENT

In rule 17, after the words 'Excise and Taxation Officer' the words 'or Assistant Excise and Taxation Officer' shall be inserted.

By order,  
C. M. CHATURVEDI,  
*Secretary.*

### FINANCE DEPARTMENT (HIMACHAL PRADESH STATE LOTTERIES) Result of the Fourth Draw held on 14th April, 1972

Simla-2, the 14th April, 1972

No. 1-4/72-Fin. (General).—Following are the results of the 4th draw of Himachal Pradesh State Lotteries, held in Himachal Bhawan, Simla on 14th April, 1972:—

One first prize of Rs. 3,00,000	..	C 314277
One second prize of Rs. 25,000	..	C 253710
One third prize of Rs. 10,000	..	C 251389

#### Consolation prizes (150) of Rs. 100 each:

The following ticket numbers get a prize of Rs. 100 each in each of the series A, B and C:—

114137	195425	131257	140938	137784	116600	263690
187625	117533	314618	207273	186234	233964	253827

188990	286020	261796	201239	237864	181266	147555
197332	184884	164747	114589	313524	182363	266268
233811	143603	267596	103117	101234	187598	117830
186987	236127	307130	191796	144284	143236	167207
213624	241107	307114	147602	294524	233480	154235
191912						

Daily draw results held from 1st March, 1972 to 10th March, 1972:

Ten (10) first prizes of Rs. 2,500 each.

A—127870 A—130130 A—211831 A—249984 B—212103 B—246007  
C—136139 C—186763 C—250839 C—183136

Twenty (20) second prizes of Rs. 500 each.

A—236840 A—149142 A—248443 A—114688 A—257406 A—257963  
A—146616 A—114994 B—233523 B—154570 B—136902 B—263093  
B—249534 B—141671 B—116134 B—246693 C—197504 C—153823  
C—187890 C—180431

Fifty (50) Third prizes of Rs. 100 each.

A—143164	A—206133	A—130245	A—200907	A—139264	A—182525
A—232134	A—203960	A—106136	A—250117	A—104525	A—245034
A—234687	A—252221	A—153452	A—236285	A—197153	B—103218
B—236520	B—117217	B—137527	B—127683	B—133544	B—153688
B—147918	B—146248	B—127633	B—253773	B—150830	B—124295
B—195414	B—207169	B—211643	B—241169	B—111121	C—196265
C—206263	C—110030	C—257627	C—198737	C—254155	C—134797
C—233187	C—205137	C—153133	C—156122	C—119877	C—138270
C—191832	C—151884				

The holders of the first, second and third prize-winning tickets are requested to produce their tickets in person to the Director, Himachal Pradesh State Lotteries, Simla-2. Other winners are requested to send by registered post, an advance receipt (duly stamped and signed) of the prize along with the prize-winning ticket after affixing their signatures as also their full address on the reverse of the ticket. All prize-winning tickets should be surrendered by or before 15th of May, 1972. A ticket which is forged or torn, mutilated or tampered with, shall not be considered a valid ticket for any prize.

N.B.—The newspapers have been requested to print correct numbers of the prize-winning tickets. The Himachal Pradesh State Lotteries does not take any responsibility for any misprint or error in the publication of the result by the newspapers.

The following agents have secured 1st, 2nd, 3rd and 4th position, respectively, on account of their sales:—

1. Shri Iqbal Chand Khurana, No. 3, Khurshid Market, Delhi.

Partners—

- (1) Iqbal Chand Khurana, New Delhi.
- (2) Shri Harbans Lal Narula, 8976 Naya Mohalla, Pull Bangsh, Delhi-6.
2. Mrs. S. Paul, 13/1, M. G. Road, Calcutta.

## 3. Lucky Distributors, New Delhi.

Partners—

- (1) M/s. V. Kumar, 12/A, Amar Nath Moola Mal estate, Connaught Place, New Delhi.
- (2) Shri Harbans Lal Arora, 7 T.C. Building, Connaught Place, New Delhi.
4. Shri Harbans Lal Arora, 4B/5820, Dev Nagar, Karol Bagh, New Delhi.

ANNOUNCEMENT FOR THE 5TH DRAW TO BE HELD ON  
9TH JUNE, 1972

First Prize (one)	..	Rs. 2,00,000	Common to all series
Second Prize (one)	..	Rs. 10,000	
Third Prize (one)	..	Rs. 5,000	

A, B and C.

## Daily draws from 15th May, 1972 to 22nd May, 1972:

First prize (one)	..	Rs. 2,000	Common to all series.
Second prize (one)	..	Rs. 500	
Third prizes (five)	..	Rs. 100	

(Sale of tickets already on)

Tickets are available in A, B and C series from the Officer on Special Duty (Lotteries), Himachal Bhawan Sikandra Road, New Delhi (Tel. No. 47163), Office of the Director, Himachal Pradesh State Lotteries, Simla-2 and offices of all Treasury Officer/Sub Treasury Officers in Himachal Pradesh.

M. L. JAIN,  
Deputy Secretary.